



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Chiodo et al.

Serial No.: 09/994,337

Art Unit: 3679

Filing Date: November 26, 2001

Examiner: Michael P. Ferguson

Title: Method for Disassembling Different Elements

Docket No.: 15-263C1

TECHNOLOGY CENTER R3700

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Watts Hoffmann Co., L.P.A.
1100 Superior Avenue
Suite 1750
Cleveland, OH 44114

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on March 8, 2004
By: [Signature]

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the Office Action mailed February 19, 2004, Applicants' undersigned representative submits the following election and remarks.

A Restriction Requirement has been imposed by the Examiner for this application. In particular, the Examiner is requiring the Applicants to elect between two groups of claims, Group I (claims 65-90) directed to an article or Group II (claims 91-92) directed to a method. In the event the Applicants elects Group I, the Examiner has further imposed a second restriction requirement to elect between claims drawn to Species 1 shown in Figures 3a and 3b, Species 2 shown in Figures 17(a)-20(b), or Species 3 shown in Figures 1-2b.

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GROUP 360C

The Applicants elect the claims of Group I, Species 1. However, the Applicant respectfully traverses the second restriction requirement and asks for its reconsideration and withdrawal.

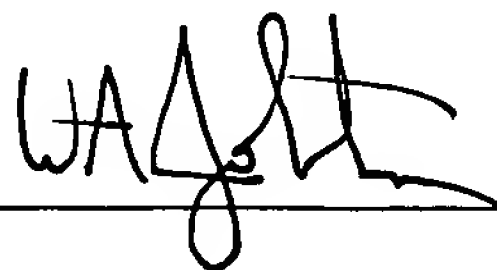
The undersigned submits that the second restriction requirement is inappropriate because the claims of all three identified species are directed to the same invention and because searching all three species would not place a serious burden on the Examiner, as discussed in MPEP §803. Certainly, a search for the claims directed to Figure 3a-3b would be coextensive with a search for the claims directed to Figures 17(a)-20(b) and Figures 1-2b. It is well settled that the purpose of the Patent and Trademark Office practice of issuing restriction requirements is to avoid a burdensome examination. It is respectfully submitted that this purpose is not realized by dividing the claims in the subject application into multiple species and requiring separate examinations.

Accordingly, it is respectfully submitted that the second restriction requirement issued in this case should be withdrawn and that all the claims in Group I of this application be examined concurrently. Claims 65-90 will require essentially the same field of search and therefore the concurrent examination of all the claims of Group I will not create an undue burden on the Patent and Trademark Office.

In view of the above, the Applicant respectfully requests that the Examiner withdraw the second restriction requirement and that claims 65-90 be examined.

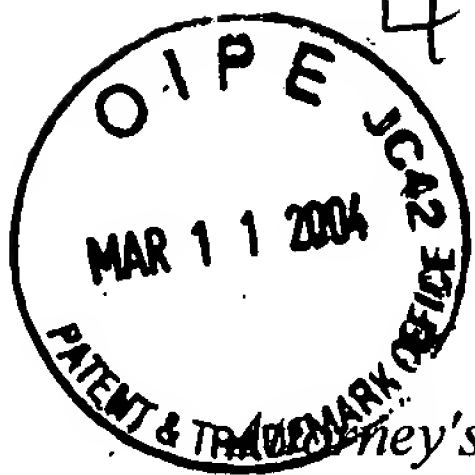
Respectfully submitted,

Date: 3/8/04

A handwritten signature in black ink, appearing to read 'WAGH', written over a horizontal line.

William A. Johnston
Reg. No. 47,687

Telephone No.: (216) 241-6700
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3126

Attorney's Docket No. 15-263C1

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the CHIODO ET AL.
Application of:

Application No.: 09/994,337

Filing Date: NOVEMBER 26, 2001

Title: METHOD FOR DISASSEMBLING
 DIFFERENT ELEMENTS

Examiner: MARC JIMENEZ

Art Unit: 3726

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AMENDMENT TRANSMITTAL

MAIL STOP NON-FEE AMENDMENT

Commissioner for Patents
P.O. Box 1450
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Transmitted herewith is a Response to Restriction Requirement for this application.

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22313-1450

on March 8, 2004
By: [Signature]

The fee for claims has been calculated as shown below:

CLAIMS	FOR	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	CALCULATIONS
	TOTAL CLAIMS (37 C.F.R. § 1.16(c))	28	- 28	= 0	x \$18.00 =	\$ 0
	INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b))	4	- 4	0	x \$86.00 =	\$ 0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))				+ \$280.00	\$ 0.00
					Total of Above Calculations =	\$ 0
	Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27, 1.28).					
	TOTAL =					\$ 0.00

_____ A verified statement to establish small entity status under 37 C.F.R. §§ 1.9, 1.27:
 _____ is enclosed.
 _____ was previously filed.

_____ A check is enclosed to cover the \$0.00 fee for the presentation of additional claims.

 X Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition for an extension of time.

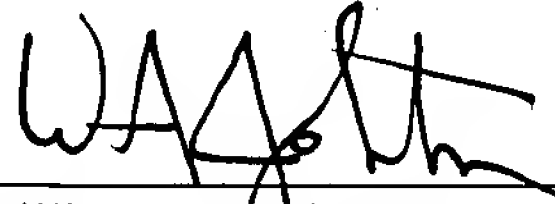
_____ Applicant hereby petitions for a:
 _____ one month (37 C.F.R. § 1.17(a): \$110.00/\$55.00)
 _____ two month (37 C.F.R. § 1.17(b): \$420.00/\$210.00)
 _____ three month (37 C.F.R. § 1.17(c): \$950.00/\$475.00)
 _____ four month (37 C.F.R. § 1.17(d): \$1,480.00/\$740.00)
 _____ five month (37 C.F.R. § 1.17(d): \$2,010.00/\$1,005.00)
 extension of time pursuant to 37 C.F.R. § 1.136(a). If an additional extension of time is required, please consider this a petition therefor.

_____ A check is enclosed to cover the \$ extension of time fee under 37 C.F.R. § 1.17.

_____ Charge Deposit Account No. 23-0630 in the amount of \$_____.

X The Commissioner is hereby authorized to credit any overpayment or to charge any fees under 37 C.F.R. §§ 1.16, 1.17 in connection with this communication to our Deposit Account No. 23-0630.

Respectfully submitted,



Date: March 8, 2004

William A. Johnston
Registration No. 47,687

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